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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/601,062	
	Filing Date	June 20, 2003	
	First Named Inventor	Michael C. Brakefield, et al.	
	Art Unit	3652	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	3	Attorney Docket Number	

ENCLOSURES (Check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	McAfee & Taft		
Signature			
Printed name	Clifford C. Dougherty, III		
Date	October 31, 2004	Reg. No.	31,607

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Signature			
Typed or printed name	Clifford C. Dougherty, III	Date	November 1, 2004

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael C. Brakefield, et al.)
)
Serial No.: 10/601,062) Art Unit: 3652
)
Filing Date: June 20, 2003)
) Examiner: Unknown
For: DIESEL FUEL TRANSFERRING)
SYSTEM AND METHOD OF USE)

Mail Stop Amendment
Commissioner for Patents
Post Office Box 1450
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INFORMATION DISCLOSURE STATEMENT

By this statement, Applicants are submitting information of which they are aware and which they believe may be material to the examination of this application.

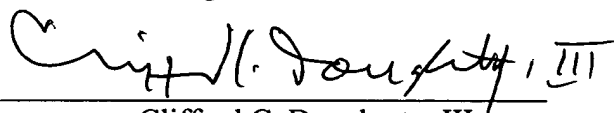
The filing of this statement should not be considered as a representation that a search has been made (see 37 C.F.R. § 1.97(g)), or an admission that the information cited is considered to be material to patentability as defined in 37 C.F.R. § 1.56 (see 37 C.F.R. § 1.97(h)). Furthermore, the filing of this statement should not be considered as an admission against interest in any manner (see Notice of final rulemaking, 1135 O.G. 13-25, at 25 (2-4-92)).

A portable pumping system was known to be in use at least as early as November 2001. It consisted of a pump driven by a diesel engine and having a flow meter on the discharge side of the pump. This system was mounted on a skid and carried in the bed of a truck. A hose was connected directly between the outlet of a railcar and the inlet of the pump. Another hose was connected between the outlet of the pump and an inlet opening on a transport trailer. No valves were installed on these hoses. This system was operated by McIntire Fuels of Middlebury, Vermont.

It is not believed that the above information is suitable for inclusion on Form PTO/SB/08A or Form PTO/SB/08B. Accordingly, Forms PTO/SB/08A and PTO/SB/08B do not accompany this Statement.

The person making this statement is an attorney of record who signs below on the basis of information which has been supplied by the inventors and/or individuals associated with the filing and prosecution of this application and/or information in the attorney's file.

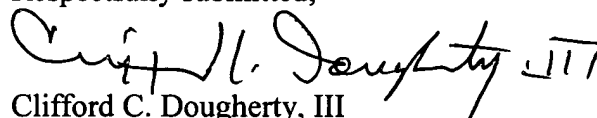
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Clifford C. Dougherty, III

Date: November 1, 2009

Respectfully submitted,



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